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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT PAPER NUMBER

2157

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/760,795	Applicant(s) SETO, SATOSHI	
	Examiner Hussein A. El-chanti	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This action is responsive to RCE received on March 6, 2006. Claims 1-52 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1-52 are rejected under 35 U.S.C. 102(e) as being anticipated by Fields et al. U.S. Patent No. 6,412,008 (referred to hereafter as Fields).

Fields teaches the invention explicitly as claimed including a system and method for website customization using different customization options including user customization options, agent customization options and corporate customization options (see abstract).

As to claims 1 and 5, Fields teaches an image editing method and unit respectively that is performed in an image editing system equipped with a client, which has an edit-command unit for applying a command to edit image data, and an image server, connected with said client through a network, which has an editing unit for obtaining processed image data by editing said image data in response to the edit command from said edit-command unit, said image editing method comprising:

a first step of accepting an edit-start command and, in response to said edit-start command, commanding said image server to transfer editing data, having at least one editing object, which contains said image data, at said edit-command unit, and of transferring said editing data to said client at said image server (see col. 4 lines 50-64);

a second step of querying said image server about one editing object for obtaining said processed image data in accordance with said editing data, at said edit-command unit (see col. 4 lines 65-col. 5 lines 8);

a third step of transferring editing information, which represents said one editing object corresponding to said inquiry, to said client, at said editing unit (see col. 4 lines 65-col. 5 lines 8);

a fourth step of generating edit-command information which represents a command to edit said editing object, in accordance with said editing information and also transferring said edit-command information to said image server, at said edit-command unit (see col. 6 lines 10-30);

a fifth step of obtaining intermediate processed image data by applying an editing process to said editing data in accordance with said edit-command information and also transferring said intermediate processed image data to said client, at said editing unit (see col. 6 lines 32-45); and

a sixth step of repeating said second through the fifth steps, until said edit-command information is transferred for an editing object desired and said processed image data is obtained (see col. 7 lines 1-57).

As to claim 2, Fields teaches an image editing system comprising:

a client having an edit-command unit for applying a command to edit image data; an image server, connected with said client through a network, which has an editing unit for obtaining processed image data by editing said image data in response to the edit command from said edit-command unit (see col. 4 lines 50-col. 5 lines 8);

said edit-command unit having first means for accepting an edit-start command and, in response to said edit-start command, commanding said image server to transfer editing data, having at least one editing object, which contains said image data; second means for querying said image server about one editing object for obtaining said processed image data, based on said editing data transferred from said image server in accordance with said command to transfer said editing data; and third means for generating edit-command information which represents a command to edit said editing object, based on said editing information transferred from said image server in accordance with said inquiry about said editing object, and for transferring said edit-command information to said image server (see col. 5 lines 10-col. 6 lines 45);

said editing unit having first means for transferring said editing data to said client in response to said command to transfer said editing data; second means for transferring editing information, which represents an editing object corresponding to said inquiry, to said client; and third means for obtaining intermediate processed image data by applying an editing process to said editing data, based on said edit-command information, and for transferring said intermediate processed image data to said client;

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and means for repeatedly carrying out the steps carried out in the second and third means of said edit-command unit and the first, second, and third means of said editing unit, until said edit-command information is transferred for an editing object desired and said processed image data is obtained(see col. 7 lines 1-57).

As to claim 3, Fields teaches a computer readable storage medium recording a program for causing a computer to carry out the image editing method as set forth in claim 1, wherein said program has a first procedure of accepting an edit-start command and, in response to said edit-start command, commanding said image server to transfer editing data, having at least one editing object, which contains said image data (see col. 4 lines 50-col. 5 lines 8);

a second procedure of querying said image server about one editing object for obtaining said processed image data, based on said editing data transferred from said image server in accordance with said command to transfer said editing data (see col. 6 lines 10-54);

a third procedure of generating edit-command information which represents a command to edit said editing object, based on said editing information transferred from said image server in accordance with said inquiry about said editing object, and of transferring said edit-command information to said image server (see col. 6 lines 10-54);
and

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a fourth procedure of repeating said second and third procedures, until said edit-command information is transferred for an editing object desired and said processed image data is obtained (see col. 7 lines 10-54).

As to claim 4, Fields teaches a computer readable storage medium recording a program for causing a computer to carry out the image editing method as set forth in claim 1, wherein said program has a first procedure of transferring said editing data to said client in response to said command to transfer said editing data (see col. 6 lines 10-45);

a second procedure of transferring editing information, which represents an editing object corresponding to said inquiry, to said client(see col. 6 lines 10-45);

a third procedure of obtaining intermediate processed image data by applying an editing process to said editing data, based on said edit-command information, and of transferring said intermediate processed image data to said client (see col. 6 lines 10-45); and

a fourth procedure of repeating said first, second, and third procedures, until said edit-command information is transferred for an editing object desired and said processed image data is obtained (see col. 7 lines 1-54).

As to claim 6, Fields teaches an editing unit in an image editing system equipped with a client, which has an edit-command unit for giving a command to edit image data, and an image server, connected with said client through a network, which has said

editing unit for obtaining processed image data by editing said image data in response to the edit command from said edit-command unit, said editing unit comprising:

first means for transferring said editing data to said client in response to said command to transfer said editing data; second means for transferring editing information, which represents an editing object corresponding to said inquiry, to said client (see col. 4 lines 50-col. 5 lines 8);

third means for obtaining intermediate processed image data by applying an editing process to said editing data, based on said edit-command information, and for transferring said intermediate processed image data to said client (see col. 6 lines 10-54); and

fourth means for repeatedly carrying out the steps carried out in said first, second, and third means, until said edit-command information is transferred for an editing object desired and said processed image data is obtained (see col. 7 lines 1-54).

As to claims 7 and 33, Fields teaches an image editing method and medium respectively that is performed in an image editing system equipped with a client, which has an edit-command unit for giving a command to edit image data, and an image server, connected with said client through a network, which has an editing unit for obtaining processed image data by performing an editing process on said image data in response to the edit command from said edit-command unit and transfers predetermined image data related to said image data to said client, said image editing method comprising the steps of:

generating low-volume data smaller in data amount than said predetermined image data; and transferring said low-volume data to said client (see col. 7 lines 1-54).

As to claims 8, 21 and 34, Fields teaches the image editing method, system and medium as set forth in claims 7, 14 and 33 respectively, wherein said predetermined image data is any one among image data before said editing process is applied, image data subjected to an editing process up to an intermediate stage, and said processed image data (see col. 7 lines 37-57 and col. 8 lines 41-55).

As to claims 9, 22 and 35, Fields teaches the image editing method, system and medium as set forth in claims 7, 20 and 33 respectively, wherein said predetermined image data is transferred to said client, following said low-volume data.

As to claims 10, 23 and 36, Fields teaches the image editing method, system and medium as set forth in claims 8, 21 and 34 respectively, wherein said predetermined image data is transferred to said client, following said low-volume data (see col. 7 lines 37-57 and col. 8 lines 41-55).

As to claims 11, 24 and 37, Fields teaches the image editing method, system and medium as set forth in claims 7, 20 and 33 respectively, wherein the data amount of said low-volume data is varied according to a loaded state of said network (see col. 7 lines 37-57 and col. 8 lines 41-55).

As to claims 12, 25 and 38, Fields teaches the image editing method, system and medium as set forth in claims 8, 21 and 34 respectively, wherein the data amount of

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said low-volume data is varied according to a loaded state of said network (see col. 7 lines 37-57 and col. 8 lines 41-55).

As to claims 13, 26 and 39, Fields teaches the image editing method, system and medium as set forth in claims 9, 22 and 34 respectively, wherein the data amount of said low-volume data is varied according to a loaded state of said network (see col. 7 lines 37-57 and col. 8 lines 41-55).

As to claims 14, 27 and 40, Fields teaches the image editing method, system and medium as set forth in claims 7, 20 and 35 respectively, wherein said low-volume data is composed of a plurality of data reduced in stages in data amount and is transferred to said client from the data smaller in data amount (see col. 7 lines 37-57 and col. 8 lines 41-55).

As to claims 15, 28 and 41, Fields teaches the image editing method, system and medium as set forth in claims 8, 21 and 33 respectively, wherein said low-volume data is composed of a plurality of data reduced in stages in data amount and is transferred to said client from the data smaller in data amount (see col. 7 lines 37-57 and col. 8 lines 41-55).

As to claims 16, 29 and 42, Fields teaches the image editing method, system and medium as set forth in claims 9, 22 and 34 respectively, wherein said low-volume data is composed of a plurality of data reduced in stages in data amount and is transferred to said client from the data smaller in data amount (see col. 7 lines 37-57 and col. 8 lines 41-55).

As to claims 17, 30 and 43, Fields teaches the image editing method, system and medium as set forth in claims 11 and 24 and 35 respectively, wherein said low-volume data is composed of a plurality of data reduced in stages in data amount and is transferred to said client from the data smaller in data amount (see col. 7 lines 37-57 and col. 8 lines 41-55).

As to claims 18, 31 and 44, Fields teaches the image editing method, system and medium as set forth in claims 14 and 27 and 37 respectively, wherein transfer of said low-volume data is suspended in response to a command from said client (see col. 7 lines 37-57 and col. 8 lines 41-55).

As to claims 19, 32 and 45, Fields teaches the image editing method, system and medium as set forth in claims 18, 31 and 40 respectively, wherein transfer of said low-volume data is restarted in response to a command from said client (see col. 7 lines 37-57 and col. 8 lines 41-55).

As to claim 46, Fields teaches an image editing system comprising: a client having an image-editing command unit for applying a command to edit image data representing a user's image; and

a server, connected with said client through a network, which has means for archiving said image data and low-resolution image data scaled down from said image data and edits said image data (see col. 6 lines 10-54);

editing information required for editing said image data which contains said low-resolution image data being transferred from said server to said client; an operation of

editing said low-resolution image data being performed at said client; the result of editing being transferred to said server as edit-command information (see col. 6 lines 10-54);

processed image data being obtained by editing said image data according to said edit-command information at said server; wherein, when giving a command to insert a character image, which represents characters, into said user's image, said image-editing command unit generates character image data representing a character image of the approximately the same resolution as said user's image and transfers said character image data and said edit-command information to said server; and said image editing unit obtains said processed image data by inserting said character image into said user's image, based on said edit-command information and said character image data (see col. 7 lines 1-57).

As to claim 47, Fields teaches an image-editing command unit of an image editing system, equipped with a client having said image-editing command unit for applying a command to edit image data representing a user's image and a server which is connected with said client through a network and has means for archiving said image data and low-resolution image data scaled down from said image data and edits said image data, in which editing information required for editing said image data which contains said low-resolution image data is transferred from said server to said client (see col. 6 lines 10-54),

an operation of editing said low-resolution image data is performed at said client, the result of editing is transferred to said server as edit-command information, and processed image data is obtained by editing said image data according to said edit-command information at said server, the image-editing command unit comprising means which, when giving a command to insert a character image, which represents characters, into said user's image, generates character image data representing a character image of the approximately the same resolution as said user's image and transfers said character image data and said edit-command information to said server (see col. 7 lines 1-57).

As to claim 48, Fields teaches an image editing unit for editing image data in accordance with the edit-command information obtained in the image-editing command unit as set forth in claim 47, said image editing unit comprising means for obtaining processed image data by inserting a character image into a user's image, based on said edit-command information and character image data (see col. 7 lines 1-57).

As to claim 49, Fields teaches an image-editing command method in an image editing system, equipped with a client having an image-editing command unit for applying a command to edit image data representing a user's image and a server which is connected with said client through a network and has means for archiving said image data and low-resolution image data scaled down from said image data and edits said image data, in which editing information required for editing said image data which contains said low-resolution image data is transferred from said server to said client, an operation of editing said low-resolution image data is performed at said client, the result

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of editing is transferred to said server as edit-command information (see col. 6 lines 10-54), and

processed image data is obtained by editing said image data according to said edit-command information at said server; the image-editing command method comprising the steps of, when giving a command to insert a character image, which represents characters, into said user's image, generating character image data representing a character image of the approximately the same resolution as said user's image, and transferring said character image data and said edit-command information to said server (see col. 7 lines 1-57).

As to claim 50, Fields teaches an image editing method of editing image data in accordance with the edit-command information obtained in the image-editing command method as set forth in claim 49, said image editing method comprising the step of obtaining processed image data by inserting a character image into a user's image in accordance with said edit-command information and character image data (see col. 7 lines 1-57).

As to claim 51, Fields teaches a computer readable storage medium, recording a program for causing a computer to carry out an image-editing command method, in an image editing system, equipped with a client having an image-editing command unit for applying a command to edit image data representing a user's image (see col. 6 lines 10-54) and

a server which is connected with said client through a network and has means for archiving said image data and low-resolution image data scaled down from said image data and edits said image data, in which editing information required for editing said image data which contains said low-resolution image data is transferred from said server to said client, an operation of editing said low-resolution image data is performed at said client (see col. 6 lines 10-54),

the result of editing is transferred to said server as edit-command information, and processed image data is obtained by editing said image data according to said edit-command information at said server, the computer readable storage medium wherein said program has the procedures of, when giving a command to insert a character image, which represents characters, into said user's image, generating character image data representing a character image of the approximately the same resolution as said user's image, and transferring said character image data and said edit-command information to said server (see col. 7 lines 1-57).

As to claim 52, Fields teaches a computer readable storage medium recording a program for causing a computer to carry out a method of editing image data in accordance with the edit-command information obtained in the image-editing command method as set forth in claim 49, wherein said program has a procedure of obtaining processed image data by inserting a character image into a user's image in accordance with said edit-command information and character image data (see col. 7 lines 1-57).

Response to Arguments

3. Applicant's arguments have been fully considered but they are not persuasive. In substance, applicant argues that, A) Fields does not disclose an edit command unit applying a command to edit an image and an image server and transferring intermediate processed image data to the client.

In response to A) Fields teaches a system and method for website customization using different customization options including user customization options, agent customization options and corporate customization options (see abstract). Fields also teaches the client sends HTTP request to a proxy server "edit command unit" for a file stored on a server "image server" (see col. 4 lines 1-15). The proxy server determines the customization options of the image server and customizes the file according the server customization options thus creating "an intermediate processed image". The intermediate processed image is then transferred from the proxy server to the client where the client may apply further customization to the received file (see col. 7 lines 1-38). The file is later customized according to other customization options such as personal customization options (see col. 7 lines 18-35). The first stage of customization according to a agent string is interpreted to be the "intermediate processed image" and therefore Fields teaches the limitation "obtaining intermediate processed image data by applying an editing process to said editing data in accordance with said edit-command information". Therefore Fields teaches "an edit command unit applying a command to edit an image and an image server and transferring intermediate processed image data to the client" as claimed.

4. This is a request for continued examination of applicant's Application. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A. El-chanti whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

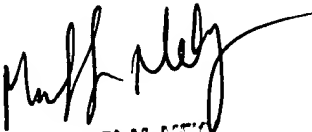
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

April 6, 2006



MUSTAFA M. MEK
PRIMARY EXAMINER